

43.23 Death or withdrawal of primary candidate.

1. If a person who has filed nomination papers with the state commissioner as a candidate in a primary election dies or withdraws up to the seventy-sixth day before the primary election, the appropriate convention or central committee of that person's political party may designate one primary election candidate for the nomination that person was seeking, if the designation is submitted to the state commissioner in writing by 5:00 p.m. on the seventy-first day before the date of the primary election and no other person has filed as a candidate for the nomination in that election. The name of any candidate so submitted shall be included in the appropriate certificate or certificates furnished by the state commissioner under [section 43.22](#).

2. If a person who has filed nomination papers with the commissioner as a candidate in a primary election dies or withdraws up to the sixty-ninth day before the primary election, the appropriate convention or central committee of that person's political party may designate one primary election candidate for the nomination that person was seeking, if the designation is submitted to the commissioner in writing by 5:00 p.m. on the sixty-fourth day before the primary election. The name of any candidate so submitted shall be placed on the appropriate ballot or ballots by the commissioner.

[C66, 71, 73, 75, §43.59(1); C77, 79, 81, §43.23]

[86 Acts, ch 1224, §2](#); [89 Acts, ch 136, §10](#); [2021 Acts, ch 147, §8, 54](#)

Referred to in [§43.13](#), [43.24](#)

Section amended